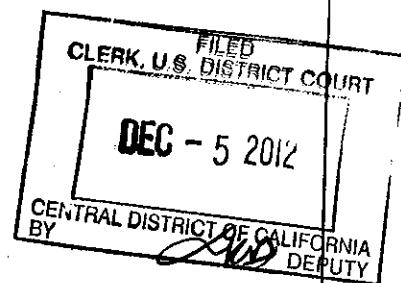


1 JAMEY DEON JIMERSON
1799 Alicante St.
2 Pomona, CA 91768
2 Telephone: (909) 717-4503
3 Facsimile: (424) 785-1126
3 E-mail: jjjetplan3@gmail.com



UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

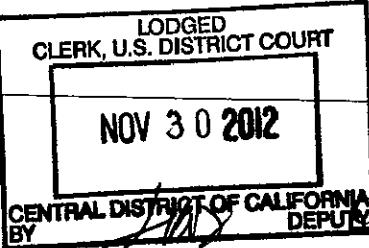
CV12-10275 MRP(cwy)

Case No.:

COMPLAINT FOR:

**1) VIOLATION OF THE FAIR
CREDIT REPORTING ACT
(FCRA) [15 U.S.C. §1681b] (3)
(A) AND CIVIL LIABILITY
FOR WILLFUL
NONCOMPLIANCE [15 U.S.C.
§1681n].**

DEMAND FOR JURY TRIAL



COMPLAINT

Come now PLAINTIFF JAMEY DEON JIMERSON, an individual, and complain and allege against Defendants, FBS CARD SERVICE INC., and DOE DEFENDANTS 1 through 10 as follows:

VENUE AND JURISDICTION

1. This action is brought pursuant to (FCRA) 15 U.S.C §1681 *et seq.*

//
2. Jurisdiction is founded on 15 U.S.C. § 1681p Statutory Provisions of the
3 FCRA. Venue is proper in the Central District of California. The injuries occurred
4 within the County of Los Angeles City of Pomona California.

6 **COMMON ALLEGATIONS**
7

8 3. At all relevant times mentioned in this complaint, Plaintiff was a resident of
9 the County of Los Angeles, State of California.

10 4. At all times mentioned herein, Defendants were not licensed to do business
11 in the County of Los Angeles, State of California.

12 5. At all times mentioned herein, FBS CARD SERVICE INC. is a private
13 corporate business entity(hereinafter referred to as "FBS")

14 6. Plaintiff is ignorant of the true names and a capacity of those Defendants
15 sued herein as DOES 1 through 10 inclusive, and therefore sues them by such
16 fictitious names. Plaintiff will amend this Complaint to show the true names and
17 capacities of said DOE Defendants when the same are ascertained.

18 7. Plaintiff is informed and believes and, based upon such information and
19 belief, alleges that the Defendants through their actions are responsible in some
20 manner for the events and happenings referred to herein and such actions are the
21 legal cause of statutory injury to the Plaintiff as herein alleged.

1 8. Plaintiff is informed and believes and, based upon such information and
2 belief, alleges that, at all times herein mentioned, each and every Defendant was
3 not authorized to conduct business in the County of Los Angeles and the State of
4 California. At all times relevant hereto, said DEFENDANTS were not acting
5 within the scope of a business license within the County of Los Angeles and State
6 of California.

9 9. At all times relevant hereto DEFENDANTS employed organized unlawful
10 customs, illegal practices of privacy violations, making inaccurate statements in
11 correspondence, illegally obtaining personal information and intentionally causing
12 emotional distress upon the PLAINTIFF. Said misconduct was known by,
13 encouraged, tolerated and or condoned by DEFENDANTS, all.

16 10. This action arises from statutory damages sustained by the Plaintiff as a
17 result of the inquiry on his consumer credit report by Defendant “FBS” and each of
18 them all.

20 11. Plaintiff received a copy of his “EQUIFAX consumer credit report” on
21 February 09, 2012.

23 12. After reviewing the EQUIFAX consumer credit report Plaintiff noticed an
24 unauthorized inquiry by Defendant “FBS” ON June 06, 2007.

26 13. Said “EQUIFAX consumer credit report” is attached to the complaint as
27 exhibit “A”.

1 14. Upon review of his EQUIFAX consumer report Plaintiff holds that
2 Defendant "FBS" is not a verifiable creditor of the PLAINTIFF, and
3 DEFENDANT "FBS" neither is nor was retained by any verifiable creditor of the
4 PLAINTIFF. DEFENDANT "FBS" does not have a permissible purpose allotted
5 under the law.

6
7 15. Plaintiff then became aware that DEFENDANT "FBS" at the time of the
8 inquiry was not and is not presently authorized to conduct business in the County
9 of Los Angeles, State of California.

10
11 **FIRST CAUSE OF ACTION**

12
13 **VIALATION OF THE FAIR CREDIT REPORTING ACT (FCRA) [15**

14
15 **U.S.C. §1681b] (3) (A) AND CIVIL LIABILITY FOR WILLFUL**
16 **NONCOMPLIANCE [15 U.S.C. §1681n].**

17
18 **Against All Defendants**

19 16. Paragraphs 1 through 15 is realleged as though fully set forth herein.

20
21 17. Plaintiff re-alleges, adopts and incorporates as if set forth at length hereat
22 and to the extent applicable, paragraphs 1 through 16 above.

23
24 18. In doing the things set forth above, the Defendants, and each of them,
25 violated rights of the PLAINTIFF; against inaccurate and unfair credit reporting as
26 guaranteed by the Fair Credit Reporting Act (FCRA), 15 U.S.C. §1681.

1 19. As set forth above, those violations include, but are not limited to,
2 impermissible purpose in requesting the consumer credit report of the PLAINTIFF
3 from EQUIFAX, a credit reporting agency; Inaccurate reporting of a presumed
4 credit transaction collectible by Defendant "FBS"; Adverse action resulting in
5 unfavorable changes to the consumer credit report of the PLAINTIFF. This
6 company is presumed to have competent knowledge of the permissible purpose
7 requirements of the Fair Credit Reporting Act. Obtaining the consumer report of
8 the Plaintiff in this manner presumes this action as a part in a pattern of willful non
9 compliance.

10 13 20. As a proximate result of the actions of Defendant "FBS", and each of them
11 14 all, Plaintiff was caused to endure unfavorable credit reporting and judgment from
12 15 that inaccurate reporting which was a possible debt owed presumed to be
13 16 collectable by Defendant "FBS", and each of them all. Plaintiff was also caused an
14 17 unfair breach in the privacy afforded to the Plaintiff under the law. Other relevant
15 18 damages incurred by the Plaintiff will be more specifically proven at trial.
16 19

20 22 21. As a proximate result of the actions of Defendant "FBS", and each of them
21 23 all, Plaintiff has been injured in mind and body as well as financially all in a value
22 24 determined by proof at trial.
23

24 26 ///

25 27 ///

PRAYER

WHEREFORE, Plaintiff requests a trial by jury and prays judgment against the Defendants as follows:

AS TO THE FIRST CAUSE OF ACTION

1. Statutory damages in an amount to be determined by proof at trial;
2. Attorney's Fees and Costs of litigation pursuant to §42 U.S.C. 1988;
3. Interest according to law; and
4. Any other and further relief that the Plaintiff may be entitled to and the Court deems just and proper.

Dated: November 30, 2012

By:

By, JAMEY DEON JIMERSON,
Plaintiff in Pro Per

I am a PLAINTIFF in this action. I have read the foregoing allegations in the complaint. The matters stated in the complaint are true of my own knowledge except those matters stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: November 30, 2012

[JAMEY DEON JIMERSON]

DEMAND FOR JURY TRIAL

PLAINTIFF JAMEY DEON JIMERSON, hereby respectfully demands that the present matter be set for a jury trial.

Dated: November 30, 2012

By:

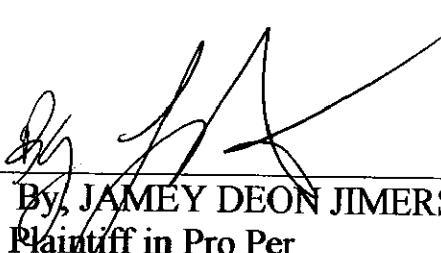

By, JAMEY DEON JIMERSON,
Plaintiff in Pro Per

EXHIBIT A

Year	Account Number												Date Opened	Balance	Date Reported	Past Due	Status	Credit Limit
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec						
2008	*	30	60	*	*	*	30	*	*	30	30							
2007	*	*	*	*	*	*	*	*	*	*	*	*						
2006	*	*	*	*	*	*	*	*	*	*	*	*						
US BANK	403784001079XXXX			06/2007	\$0		05/2009			120+ DAYS PAST DUE	\$5,000							

FBS CARD SERVICE

PO Box 9487
Minneapolis, MN-554409487

Scout

Account Number:	403784001079XXXX	Status:	120+ DAYS PAST DUE
Account Owner:	Individual Account.	High Credit:	\$5,862
Type of Account <small>?</small>	Revolving	Credit Limit:	\$5,000
Term Duration:		Terms Frequency:	
Date Opened:	06/2007	Balance:	\$0
Date Reported:	05/2009	Amount Past Due:	
Date of Last Payment:	02/2009	Actual Payment Amount:	
Scheduled Payment Amount:		Date of Last Activity:	N/A
Date Major Delinquency First Reported:		Months Reviewed:	23
Creditor Classification:		Activity Designator:	Transfer/Sold
Charge Off Amount:		Deferred Payment Start Date:	
Balloon Payment Amount:		Balloon Payment Date:	
Date Closed:		Type of Loan:	Credit Card
Date of First Delinquency:	01/2008		
Comments:			

81-Month Payment History

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2009	CO	CO	*	*								
2008	CO	*	*	*	*	*	150	*	CO	CO	CO	CO
2007						*	*	*	*	*	*	*

[Back to Top](#)

Other Accounts

These are all accounts that do not fall into the other categories and can include 30-day accounts such as American Express.

Closed Accounts

Account Name	Account Number	Date Opened	Balance	Date Reported	Past Due	Status	Credit Limit
PORTFOLIO	US	02/2009	\$7,317	01/2012	\$7,317		

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Mariana R. Pfaelzer and the assigned discovery Magistrate Judge is Carla Woehrle.

The case number on all documents filed with the Court should read as follows:

CV12- 10275 MRP (CWx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

The United States District Judge assigned to this case will review all filed discovery motions and thereafter, on a case-by-case or motion-by-motion basis, may refer discovery related motions to the Magistrate Judge for hearing and determination

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:



Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012



Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516



Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

UNITED STATES DISTRICT COURT

for the

Central District of California

FOR OFFICE USE ONLYJAMEY DEON JIMERSON
, an individual*Plaintiff(s)*

v.

FBS CARD SERVICE INC., and DOES 1-10,
inclusive,*Defendant(s)*

Civil Action No.

CV12-10275 MRP(CW*)

SUMMONS IN A CIVIL ACTIONTo: *(Defendant's name and address)* FBS CARD SERVICE INC
208 SO LASALLE ST. SUITE 814
CHICAGO, IL 60604

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: JAMEY DEON JIMERSON

1799 ALICANTE ST
POMONA CA, 91768**FOR OFFICE USE ONLY**

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 12/5/2012

Signature of Clerk or Deputy Clerk

I (a) PLAINTIFFS (Check box if you are representing yourself)

JAMEY DEON JIMERSON
an individual

DEFENDANTS

FBS CARD SERVICE INC., a corporation, and DOES 1-10, inclusive,

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

JAMEY DEON JIMERSON
1799 Alicante St. Pomona, CA 91768
Telephone: (909) 717-4503

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.)

1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party)
 2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant.)

	PTF	DEF	PTF	DEF	
Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. ORIGIN (Place an X in one box only.)

1 Original 2 Removed from 3 Remanded from 4 Reinstated or 5 Transferred from another district (specify): 6 Multi-District Litigation 7 Appeal to District Judge from Magistrate Judge
 Proceeding State Court Appellate Court Reopened

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check 'Yes' only if demanded in complaint.)CLASS ACTION under F.R.C.P. 23: Yes No MONEY DEMANDED IN COMPLAINT: \$ 1000.00

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

15 U.S.C. § 1681

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> PERSONAL PROPERTY	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 530 General Habeas Corpus	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/ Other	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input checked="" type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> FORFEITURE / PENALTY	<input type="checkbox"/> PROPERTY RIGHTS
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 428 CIVIL RIGHTS	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 850 Securities/Commodities/ Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> SOCIAL SECURITY
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 891 Agricultural Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 462 Naturalization	<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee	<input type="checkbox"/> 446 American with Disabilities - Other	<input type="checkbox"/> 660 Occupational Safety /Health	<input type="checkbox"/> 863 DIWC/DIW (405(g))
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 240 Torts to Land				<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 245 Tort Product Liability				<input type="checkbox"/> FEDERAL TAX SUITS
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 290 All Other Real Property				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 950 Constitutionality of State Statutes					<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

CV12-10275

FOR OFFICE USE ONLY: Case Number:

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? No Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? No Yes
If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or
 B. Call for determination of the same or substantially related or similar questions of law and fact; or
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District: [*] LOS ANGELES COUNTY	California County outside of this District; State, if other than California; or Foreign Country
---	---

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District: [*] COOK COUNTY	California County outside of this District; State, if other than California; or Foreign Country
--	---

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District: [*] LOS ANGELES COUNTY	California County outside of this District; State, if other than California; or Foreign Country
---	---

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date NOVEMBER 30, 2012

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))